

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

ASF, INC.,

Plaintiff,

v.

CITY OF SEATTLE,

Defendant.

CASE NO. C05-0903JLR

MINUTE ORDER

The following minute order is made by the direction of the court, the Honorable James L. Robart:

The court held a telephonic conference with the parties and two non-parties to discuss three pending motions (Dkt. ## 47, 49, 56). The court entered its rulings for the reasons stated on the record and further memorializes its decisions as follows.

The court GRANTS Defendant's motion to request that the court remove its motion to compel from the court's calendar (Dkt. # 56). As such, the court directs the Clerk to STRIKE the motion to compel (Dkt. # 47). The parties have now inexplicably decided to file further briefing on the underlying motion to compel, well past the noting date. Because the court grants Defendant's motion, the court will not consider any further, untimely briefing. If the parties are still unable to solve their discovery disputes following a proper meet and confer, they may request the court's assistance by filing a

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1 motion or requesting a teleconference pursuant to Local Rules W.D. Wash CR 7(i)  
2 (“Telephonic Motions”). Either way, the parties (and non-parties) should bear in mind  
3 that the date for filing motions related to discovery has now passed and any request for  
4 the court to rule on such a motion must also request relief from the court’s scheduling  
5 order (Dkt. # 44), which the court will consider only for good cause shown.  
6

7 The court GRANTS Plaintiff’s motion to compel non-parties, Lake City, LLC and  
8 Seattle Amusement Co., Inc. to produce quarterly gross revenue figures from the period  
9 April 2004 – October 2005 (Dkt. # 49). The court instructed the non-parties that they  
10 may produce either their quarterly tax forms with redactions (save for the figures  
11 themselves) or may simply provide the figures, signed and dated by an appropriate  
12 company official. After discussion with counsel, the court further instructed the non-  
13 parties that they need only produce the figures associated with the “cabaret” portion of  
14 their business. The court encouraged the parties and non-parties to enter into a  
15 confidentiality agreement among themselves that would protect the information from  
16 disclosure. Alternatively, the court indicated that the non-parties or parties could file a  
17 protective order with the court, although the court cautioned them that it disfavors  
18 “blanket” protective orders that lack specificity. Further, if the parties wish to make the  
19 revenue figures part of the court’s record in the future (e.g., as an exhibit to a motion for  
20 summary judgment), they may file a concurrent motion to seal the particular document in  
21 question in accordance with Local Rules W.D. Wash 5(g).  
22

23 Filed and entered this 22nd day of June, 2006.  
24

25 BRUCE RIFKIN, Clerk

26 s/Mary Duett  
27 By Deputy Clerk  
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